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09/633,365	08/07/2000	Bart Alan Meltzer	OIN 1006-2	3951
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HAYNES BEFFEL & WOLFELD LLP			EXAMINER	
P O BOX 366			COULTER, KENNETH R	
HALF MOON BAY, CA 94019			ART UNIT	PAPER NUMBER
			2141	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/633,365

Applicant(s)

MELTZER ET AL.

Examiner

Kenneth R. Coulter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 48-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 48-75 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 48 – 75 are rejected under 35 U.S.C. 102(b) as being anticipated by “Guidelines for using XML for Electronic Data Interchange”; Version 0.02; Editor: Martin Bryan, The SGML Centre; September 12, 1997. (hereafter Bryan).

2.1 Regarding claim 48, Bryan discloses a method for establishing transactions among trading partners in a network, comprising:
maintaining a registry of machine-readable specifications specifying business services offered by trading partners, the machine-readable specifications including at least one of definitions of, and references to definitions of, services offered (p. 8 – 10 “Repositories”; pp. 3, 4 “Definitions for XML/EDI”);

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and at least one of definitions of, and references to definitions of, documents to be exchanged with such services by trading partners (pp. 3, 4, 8 – 10); and

providing, in response to a request, one or more of the machine-readable specifications from said registry is via a communication network to a requesting node (pp. 3, 4, 8 – 11).

2.2 Per claim 49, Bryan teaches that said machine-readable specifications comprises data identifying respective descriptions of sets of storage units and logical structures for the sets of storage units (pp. 5 “pointer”).

2.3 Regarding claim 50, Bryan discloses that said machine-readable specifications included data adapted for parsing to identify an input document and one or more transactions which accept said input document (pp. 12 “XML parser”).

2.4 Per claim 51, Bryan teaches that the definitions of the documents to be exchanged comprise respective descriptions of sets of storage units and logical structures for the sets of storage units (pp. 13 – 14 “Developing DTDs”).

2.5 Regarding claim 52, Bryan discloses that the machine-readable specifications include documents compliant with a definition of a predefined document including logical structures for storing an identifier of a particular

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transaction, and at least one of definitions and references to definitions of input and output documents for the particular transaction (pp. 13 – 14).

2.6 Per claim 53, Bryan teaches that the storage units comprise parsed data (pp. 12 – 14).

2.7 Regarding claim 57, Bryan discloses that the storage units comprise unparsed data (pp. 12 – 14).

2.8 Per claim 58, Bryan teaches associating trading partners with said machine readable specifications (pp. 12 – 14).

2.9 Regarding claims 54 – 56 and 59 - 75, the rejection of claims 48 - 53, 57, and 58 (paragraphs 2.1 - 2.8 above) under 35 USC 102(b) applies fully.

In addition, Bryan discloses:

character data encoding text characters in the one of the input and output documents (pp. 2 – 3); and

markup data identifying sets of storage units according to the logical structure of the input and output documents (pp. 2 – 3 “XML”).

3. Claims 48 – 75 are rejected under 35 U.S.C. 102(e) as being anticipated by Olsen et al. (WO 98/33125) (Designates the US; printed in English).

3.1 Regarding claim 48, Olsen discloses a method for establishing transactions among trading partners in a network, comprising:

maintaining a registry of machine-readable specifications specifying business services offered by trading partners, the machine-readable specifications including at least one of definitions of, and references to definitions of, services offered (Abstract "maintaining shared, automated business processes across distributed organizations"; Figs 1; Fig. 4, items 410, 460, 470; p. 3, line 26 – p. 4, line 1; p. 4, lines 11 – 21; pp. 11 – 12); and at least one of definitions of, and references to definitions of, documents to be exchanged with such services by trading partners (p. 9, lines 3 – 9); and

providing, in response to a request, one or more of the machine-readable specifications from said registry is via a communication network to a requesting node (Abstract; Fig. 1; p. 3, line 26 – p. 4, line 1; p. 4, lines 11 – 21; p. 9, lines 3 – 9).

3.2 Per claim 49, Olsen teaches that said machine-readable specifications comprises data identifying respective descriptions of sets of storage units and logical structures for the sets of storage units (Abstract; Figs. 1, 4; p. 3, line 26 – p. 4, line 1; p. 4, lines 11 – 21; p. 9, lines 3 – 9).

3.3 Regarding claim 50, Olsen discloses that said machine-readable specifications included data adapted for parsing to identify an input document

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and one or more transactions which accept said input document (Abstract; Figs. 1, 3, 4; p. 10, line 21 – p. 11, line 16).

3.4 Per claim 51, Olsen teaches that the definitions of the documents to be exchanged comprise respective descriptions of sets of storage units and logical structures for the sets of storage units (Abstract; Figs. 1, 3, 4; p. 10, line 21 – p. 11, line 16; p. 9, lines 3 – 9).

3.5 Regarding claim 52, Olsen discloses that the machine-readable specifications include documents compliant with a definition of a predefined document including logical structures for storing an identifier of a particular transaction, and at least one of definitions and references to definitions of input and output documents for the particular transaction (Abstract; Figs. 1, 3, 4; p. 9, lines 3 – 9).

3.6 Per claim 53, Olsen teaches that the storage units comprise parsed data (Abstract; Figs. 1, 3, 4; p. 9, lines 3 – 9).

3.7 Regarding claim 57, Olsen discloses that the storage units comprise unparsed data (Abstract; Figs. 1, 3, 4; p. 9, lines 3 – 9).

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3.8 Per claim 58, Olsen teaches associating trading partners with said machine readable specifications (Abstract; Fig. 1; p. 3, line 26 – p. 4, line 1; p. 4, lines 11 – 21; p. 9, lines 3 – 9).

3.9 Regarding claims 54 – 56 and 59 - 75, the rejection of claims 48 - 53, 57, and 58 (paragraphs 3.1 - 3.8 above) under 35 USC 102(e) applies fully.

In addition, Olsen discloses:

character data encoding text characters in the one of the input and output documents (p. 9, lines 3 – 9); and

markup data identifying sets of storage units according to the logical structure of the input and output documents (p. 9, lines 3 – 9).

Response to Arguments

4. Applicant's arguments filed 7/9/07 have been fully considered but they are not persuasive.

Applicant argues that "Olsen did not become available to those of skill in the art for reference until after the date of our reduction to practice ..."

Examiner disagrees.

The 131 Affidavit on 9/27/02 (if acceptable) yields a date of 3/11/98.

WO 98/33125 (Designates the US; printed in English) has an effective filing date of at least January 23, 1998.

Applicant states "Olsen does not teach a service providing, in response to a request, one or more machine-readable specifications from a registry via a communication network to a requesting node."

Examiner disagrees.

Referencing Figure 4 (and col. 8, lines 37 – 61), it is clear that Olsen discloses sharing of information stored among clients 460 and 470, and server 480.

Figure 4 "shows the preferred configuration of an example site 102." (col. 8, lines 35 – 36).

The database 410 of Figure 4 is one example of an equivalent to the registry of the present Application.

Applicant states that the "DTD Repository" is not enabled in Bryan.

Examiner disagrees.

There is adequate support for DTDs, Business Objects, and Trading Partner Pages in the specification of Bryan. (pp. 3, 4, 8 – 10).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is

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filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R. Coulter whose telephone number is 571 272-3879. The examiner can normally be reached on M - F, 7:30 am - 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

krc

KENNETH R. COULTER
PRIMARY EXAMINER